

LETTER

FROM

THE SECRETARY OF WAR,

TO THE

Chairman of the Committee on Military Affairs, in relation to the purchase of the island at the confluence of the St. Peters and Mississippi rivers.

APRIL 25, 1838.

Ordered to be printed, to accompany the Senate Joint Resolution 10.

DEPARTMENT OF WAR,
February 8, 1838.

SIR: I beg leave to submit to the Committee on Military Affairs, for such action as it may deem proper, the enclosed report of the Commissioner of Indian Affairs, and the papers accompanying it, in reference to the title to the island at the junction of the Mississippi and St. Peters rivers. In the opinion of the department, the possession of the island is necessary to the proper police of the military post at that island.

Very respectfully,

Your most obedient servant,

J. R. POINSETT.

Hon. THOS. H. BENTON,

Chairman Com. Military Affairs, Senate.

WAR DEPARTMENT,
Office Indian Affairs, January 29, 1838.

SIR: I have the honor to submit a report on the communications of Col. Stambaugh and Mr. Alexis Bailey, of the 16th of October last, and that of the former of the 17th instant, (herewith returned,) relative to the claim of J. B. and P. Ferribault, to the island at the junction of the Mississippi and St. Peters rivers.

It is represented that the chiefs of the Sioux nation executed a grant of this island to P. Ferribault, the wife of J. B. Ferribault, at a council held with them by the late General Leavenworth, in 1820. In respect to this instrument, I have to observe, that heretofore the right of the Indians to make such conveyances has not been recognised. Whether there are circumstances in this case, sufficient to authorize a departure from the gen-

eral rule, is respectfully referred for your decision. If, however, it should be admitted, the ulterior proposition of Colonel S., that the Government should purchase the island for a military reservation, is one upon which this office cannot properly give an opinion, the subject matter belonging to the military branch of the service.

It is stated that the original proceedings of the council, when this grant was made, an extract from which is herewith, are in the War Department. If they be, they are on the files of the War office proper, those of this office reaching no further back than 1824.

Very respectfully,

Your most obedient servant,

C. A. HARRIS,
Commissioner.

Hon. J. R. POINSETT,
Secretary of War.

GADSBY'S HOTEL,
October 16, 1837.

SIR: The undersigned, representatives of Pelagi Farribault, a half-breed woman of the Sioux nation of Indians, beg leave to address you on the subject of a donation made by said tribe to Madame Farribault in August, 1820, of a tract of land on the side of the Mississippi river, and also an island at the junction of the Mississippi and St. Peters rivers, to hold the same to her and her heirs forever. This donation was made in a negotiation with Colonel Leavenworth, then commanding Fort Snelling, and in presence and with the approbation of the Agent of Indian Affairs, and of all the officers of the garrison. The original paper is on file in the War Department, and a copy thereof, so far as the island is conveyed, was laid before you at the recent council, when it was understood that the claim to the island should be settled after the treaty, and that the negotiations should not be impeded by calling the attention of the Indians to it at that time.

We believe the title to this island is in Madame Farribault, as much as the title to any lands is in Indians. It has been a practice with the Sioux nation, to divide their lands among the different bands, and their right to do so has been acknowledged by the Government, in the recent purchase of a very large district of country from a very small portion of the tribe. If the nation has a right, *legalized by Government acts*, to bestow upon a particular band a certain tract of their land, it surely has the power to make a like donation to an individual of the nation. The circumstance of Pelagi Farribault being a half-breed cannot, we conceive, affect her title. Her connexions in the tribe are numerous and powerful, and we hesitate not to say that her family expends more to feed and clothe the poor of the tribe, than any other family living in their country.

The Government has recognised the right of half-breeds to claim Indian country, in most of their negotiations with southern Indians. The Cherokee and Creek Indians are governed by chiefs who are but half-blood Indians, and some of them only quarter blood; the Government treats with them for their lands, and transacts with them the most important business of those nations.

We act for Madame Farribault, under a power of attorney, and are answerable to her and to the Sioux nation, for our discharge of the trust confided to us. With much respect, and entire confidence that you will treat Madame Farribault's case with liberality and justice, we earnestly call your attention to it immediately. In the opinion of one of the subscribers, it is absolutely necessary to procure the island for a military reservation. It is situated immediately under the walls of the fort, and controls the steamboat landing. Should Madame Farribault's title not be recognised, then under the treaty the Indian title would be extinguished, and it would be part of the public domain; the consequence would be, that a town would be immediately located upon it, and from its inviting position it would be very soon covered with settlers, who would necessarily be a great annoyance to the garrison, as the town would be only separated from the fort by a narrow slough that would immediately be bridged over.

The subscribers are authorized to dispose of Madame Farribault's claim to this island, and they will do so, under the peculiar circumstances of the case, at a price much less than its intrinsic value. The reservation on the west side of the river is not affected by the treaty, and it is not now necessary to touch that subject.

We very respectfully refer you to General Macomb, and the Chief Engineer, General Gratiot, and to any officers in the city, for information respecting the island in question, and the importance of having it secured as a military reservation, without delay. Whenever your leisure will permit, we will be ready to communicate all particulars on the subject, and to enter into the necessary arrangements.

We are, very respectfully,

Your obedient servants,

S. C. STAMBAUGH,
ALEXIS BAILEY.

To the SECRETARY OF WAR.

Know all men by these presents, that I, John Baptiste Farribault, and Pelagi, my wife, do, by these presents, constitute and appoint Samuel C. Stambaugh, of Fort Snelling, and Alexis Bailey, of the State of Indiana, our true and lawful attorneys, to appear for us and in our names, at any treaty which may be made between the Government of the United States and the Sioux tribe of Indians, for the purpose of protecting us in two several tracts of land conveyed by Sioux Indians to said Pelagi Farribault, by a certain instrument of writing, dated August 9, 1820. One of said tracts being the island at the junction of the Mississippi and St. Peters rivers, and the other being a tract of land containing 640 acres, or one mile square, beginning on St. Peters river, at a place called the White Rock, and running up along the bluff of said river one mile, to a small creek extending one mile back, it being the same property upon which he now resides.

And we hereby authorize and empower the said Stambaugh and Bailey to use all proper means to procure a confirmation of said reservation by the Government of the United States. And in case any part of said land should be required for military purposes, then and in that case, they are hereby empowered to make any arrangement for us which they may deem

just and proper, and sign our names to any paper that may be required to promote the objects of said negotiation, as well as to do all other things touching the premises, which they may deem advantageous to us, as well as if we were personally present.

In testimony whereof, we have hereunto set our hands and seals, this 17th day of August, 1837.

J. B. FARRIBAULT
P. PELAGI FARRIBAULT.

Signed and sealed in the presence of
A. S. HOOE.

Confirmed in council at the cantonment of St. Peters, August 9, 1820.

[EXTRACT.]

"Also we do hereby reserve, give, grant, and convey to Pelagi Farribault, wife of John Baptist Farribault, and to her heirs forever, the island at the mouth of the river St. Pierre, being the large island containing, by estimation, three hundred and twenty acres, and is the same island which is surrounded by the water of the Mississippi when that stream is higher than the river St. Pierre, and by the water of the said river St. Pierre when that stream is higher than the Mississippi. The said Pelagi Farribault being the daughter of Francois Kinie, by a woman of our nation."

Signed by the following Sioux Indians :

Petit Corbeaux
Ampotatahwah, or The Day
Anoketah, or Two Faces
Nuzuapie, or the Great Soldier
Peanduta, or the Inspired Warrior
Keiya, or the Sun of the Wampum
Handahahcon, the Coming Round
Towawkepa, Fear Nothing
Aketchetata, or Little Soldier
Soka, or The Day
Wechawacundape, or the Son of the Day
Wakeasapa, or the Black Thunder
Ohenapaduta
Wawshaw, or Red Snow
Waukaozenjon, The Lightning
Wapaenduta, or the Red Stick
Maratawechasta, or the Dead Groundman
Chaendiseumane, the Rolling Hoop
Masapata, the Burning Iron
Weshapetopa, the Four Stars
Tukahaya, the First Man
Teomeneppee, the Man about the House

Witnessed by—

H. Leavenworth, Colonel U. S. army.

L. Taliaferro, Indian Agent, Upper Mississippi.

Duncan Campbell, *Sioux interpreter.*

J. B. Farribault.

William L. Foster, *Captain 5th Infantry.*

R. A. McCabe, *Lieutenant 5th Infantry.*

N. Clark, *Lieutenant 5th Infantry.*

P. R. Green, *Lieutenant 5th Infantry.*

J. McCartney, *Lieutenant 5th Infantry.*

Joseph Hare, *Lieutenant 5th Infantry.*

